

I. BACKGROUND

Page 1 of 2

1 **II. LEGAL STANDARD**

2 Appeals of bankruptcy proceedings are governed by 28 U.S.C. 158, which in pertinent
 3 part states: “The district courts of the United States shall have jurisdiction to hear appeals from
 4 final judgments, orders, and decrees.” 28 U.S.C. 158(a)(1). An order is considered final “if it
 5 contains a full adjudication of the issues at bar, and clearly evidences the judge’s intention that
 6 it be the court’s final act in the matter.” *In re Cahn*, 188 B.R. 627, 629 (B.A.P. 9th Cir. 1995)
 7 (internal quotation marks omitted). While the appeal may be heard by a bankruptcy appellate
 8 panel consisting of three judges, the district court instead hears the appeal if “the appellant
 9 elects at the time of filing the appeal; or any other party elects, not later than 30 days after
 10 service of notice of the appeal.” 28 U.S.C. 158(c)(1).

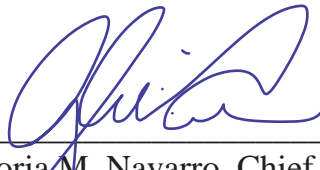
11 **III. DISCUSSION**

12 The Court has jurisdiction over the appeal of the Bankruptcy Court’s ruling because it is
 13 final order after full briefing, a hearing, and a written decision of denial. While Jeter-Wheaton
 14 originally requested that the appeal be heard by the BAP, “any other party” may elect for the
 15 district court to hear the appeal. Here, EZPawn so elected within the required 30 days.
 16 Accordingly, the Court denies Jeter-Wheaton’s request to have the appeal heard by the BAP.

17 **IV. CONCLUSION**

18 **IT IS HEREBY ORDERED** that the Motion to Remand to the BAP (ECF No. 5) is
 19 **DENIED.**

20 **DATED** this 23 day of October, 2015.

21
 22 
 23 _____
 24 Gloria M. Navarro, Chief Judge
 25 United States District Judge